

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

February 23, 2007

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 060D-218

Oahu

Issuance of Right-of-Entry Permit to Sustainable Resources
Group Intn'l, Inc. on Unencumbered Lands, Waimanalo,
Koolaupoko, Oahu, Tax Map Key: 4-1-013:001 (por), 4-1-
015:001 (por).

APPLICANT:

Sustainable Resources Group Intn'l, Inc. whose business and
mailing address is 1916 Young Street, Suite 101, Honolulu, Hawaii
96826.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands of Waimanalo, Koolaupoko, Oahu,
identified by Tax Map Key: 4-1-013:001 (por), as shown on the
attached map labeled Exhibit "A", and Tax Map Key: 4-1-
015:001 (por), as shown on the attached map labeled Exhibit "B".

AREA:

13,500 sq. ft.

ZONING:

State Land Use District: Agriculture
County of Oahu CZO: AG-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES ___ NO X

CURRENT USE STATUS:

Unencumbered land, portions of Waimanalo Stream and Kahawai

Stream, Waimanalo, Oahu.

CHARACTER OF USE:

Stream bank restoration.

TERM OF RIGHT-OF-ENTRY:

Three (3) years commencing on the first day of the next month following the date of this Board submittal.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Item No. 1 that states "Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."

DCCA VERIFICATION:

Place of business registration confirmed: YES X
Registered business name confirmed: YES X
Applicant in good standing confirmed: YES X

REMARKS:

The State Department of Health (DOH) has determined that Waimanalo and Kahawai streams in Waimanalo, Oahu do not meet the clean-water standards of DOH. Portions of these streams are owned by the State of Hawaii and managed by its Department of Land and Natural Resources (DLNR).

Sustainable Resources Group Intn'l, Inc (SRGII) has requested a right-of-entry permit for three (3) years to do stream bank restoration work and pollution control work at sections of these two streams in Waimanalo, Oahu. Their project will involve approximately 9,000 sq. ft. at Waimanalo Stream, Waimanalo, shown outlined on Exhibit "A" and approximately 4,500 sq. ft. at Kahawai Stream, Waimanalo, shown on Exhibit "B". This project is partially funded by the State Department of Health's (DOH) Polluted Runoff Control Program. The project is designed to install coir logs, which are made of coconut husks rolled into

five inch diameter rolls, and placed at the toe of the stream bank to hold back erosion and allow vegetation to take place on the stream bank and within these coir logs.

SRGII will use low growth plant cover on the stream banks so the chosen vegetation will grow close to the ground and not require maintenance to cut it down. Shrubs and trees will definitely not be planted on the stream banks. Only vegetation that grows no higher than one (1) foot will be selected by SRGII. This means that after three (3) years the maintenance condition of the two sites will be better than it is now because the current vegetation at these sites currently exceeds one (1) foot in height. The DLNR land Maintenance Crew should experience a minimum maintenance schedule for the two sites.

SFGII's efforts are intended to improve water quality at these two sites by utilizing no higher than one foot high vegetation that may absorb and neutralize any nitrogen, phosphorus and sediment loads that may be present in these areas. Their project may identify and measure loads of any nitrogen and phosphorus in the vegetation planted on the stream banks as the run-off water from the adjacent land filters down through the selected low growing vegetation on the stream banks into the streams.

SRGII is a Hawaii-based for-profit consulting business firm specializing in environmental management and water resources engineering. They use interdisciplinary approaches to achieve sustainable solutions to meet their client's goals. SRGII provides assessment and planning for environmental and natural resources management. It performs natural systems engineering design support for wetland, river, and watershed restoration and erosion control.

SRGII's environment service history in Hawaii is as follows: (1) Environmental Analysis, Proposed Designation of Northwestern Hawaiian Islands National Marine Sanctuary; (2) Natural Resources Management Plan for the Marine Corps Base Hawaii; and (3) Preparation of an environmental assessment for the construction of a multi-purpose building at Kihei, Maui to support the Hawaiian Island Humpback Whale National Marine Sanctuary.

AGENCY COMMENTS:

The maintenance crew at the Kailua Baseyard of the Department of Facility Maintenance, City and County of Honolulu, (County), reports that they have an access easement from DLNR to use the maintenance road alongside Waimanalo stream to access the County flood control improvements mauka of Kalaniana'ole Highway. The County will continue to use this easement in the future. Since the project is along the banks of the stream, it would not interfere with their use of the road and they have no objection to the project.

The Commission on Water Resource Management of the Department of Land and Natural Resources (DLNR) reports that they have no objections.

The Division of Aquatic Resources of DLNR reports that they have no objections.

The Department of Hawaiian Home Lands reports that they have no objections.

The Clean Water Branch of the Department of Health has advised that under HAR, Chapter 11-55, a National Pollutant Discharge Elimination System (NPDES) permit is required if the proposed activities will result in the disturbance of one (1) acre or more of land area. Since the total area of the SRGII project is approximately 13,500 sq. ft., a NPDES permit is not required.

SUMMARY:

The project should provide groundcover on the sites that will grow no higher than one (1) foot. This should enable a minimal maintenance schedule by the DLNR maintenance crew subsequent to the termination of the right-of-entry.

DLNR will require that SRGII remove all stream debris and rubbish in the streams in their project areas.

HRS 171-55 allows the Board to negotiate directly with the applicant and determine rent which will serve the best interests of the State. Staff believes this stream bank restoration work will provide a public benefit for the State because the ground cover will grow no higher than one (1) foot and would result in minimum maintenance by the DLNR Land Maintenance Crew, after the permit expires. Therefore, staff requests the Board find the subject stream bank restoration work will provide a public benefit for the State and approve gratis rent for this disposition.

We respectfully request Land Board approval of this submittal.

RECOMMENDATION:

That the Board authorize the issuance of a right-of-entry permit to Sustainable Resources Group Intn'l, Inc. covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Sustainable Resources Group Intn'l, Inc. shall remove all stream debris and rubbish in the streams within their project areas;

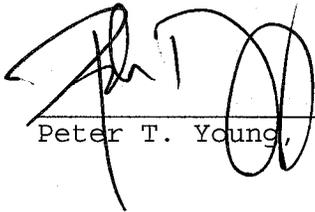
3. Sustainable Resources Group Intn'l, Inc. will use low growth plant cover not to exceed one (1) foot in height on the entire area of the stream banks.
4. The Board finds the stream bank restoration work will provide a public benefit for the State and therefore approves gratis rent for the disposition; and
5. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Cecil Santos
Oahu District Land Agent

APPROVED FOR SUBMITTAL:..



Peter T. Young, Chairperson

